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October 25, 2024

Via PACER/ECF

The Honorable Michael A. Shipp, U.S.D.J.
The Honorable Rukhsanah L. Singh, U.S.M.J.
United States District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: In re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Product Liability Litig., Case No. 3:16-md-2738 (MAS)/(RLS)

Dear Judge Shipp and Judge Singh:

We represent Beasley Allen and Andy D. Birchfield, Jr., Esq. (together “Beasley Allen”) regarding the pending Motion to Remove Beasley Allen from the Plaintiffs’ Steering Committee, *see* ECF No. 33290, and the Motion to Disqualify Beasley Allen from this MDL litigation, *see* ECF No. 28760 (the “Motions”).

In addition to our earlier submissions advising that the Texas Bankruptcy Court’s Order stays the above referenced Motions, *see* ECF Nos. 33402 and 33403, J&J has now filed an application to stay its pending appeal of the Motion to Disqualify Beasley Allen from the New Jersey state MCL before the Superior Court of New Jersey – Appellate Division, an appeal raising issues nearly identical to the Motions before this Court. (*See* attached). J&J’s recent motion to stay the MCL appeal recognizes—as Beasley Allen submitted earlier—that the Texas Bankruptcy Court’s October 24, 2024 order stays the “motion to disqualify” the Beasley Allen firm “in the federal MDL” and “all activity in the Pending Actions, whether offensive or defensive.”

We ask the Court to consider this additional information in confirming that the Texas Bankruptcy Court’s order stays the Motions, and Beasley Allen need not respond and/or oppose the Motions until further notice.



October 25, 2024

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Thank you for your time and attention to this matter.

Respectfully submitted,

/s/ Jeffrey M. Pollock

JEFFREY M. POLLOCK

cc: All Counsel (*via* ECF)

EXHIBIT A

BELOW IS A SUMMARY OF THE CASE YOU ARE FILING WITH THE **APPELLATE DIVISION**. REVIEW ALL INFORMATION AND DOCUMENTS FOR ACCURACY PRIOR TO HITTING THE **SUBMIT** BUTTON ON THE NEXT PAGE.

FILING ID #	1660226	TRIAL COURT DOCKET #	ATL-L-2648-15
APPELLATE #	A-000215-24 (AM-000635-23)	TRIAL COURT COUNTY	ATLANTIC
CASE TITLE	IN RE TALC BASED POWDER PRODUCTS LITIGATION		
CASE TYPE	CIVIL	DISPOSITION DATE	07/19/2024
CATEGORY	LAW-CIVIL PART		
TRIAL COURT JUDGE	JOHN C. PORTO, JSC		

PARTY/ATTORNEY

PARTY NAME	PARTY ROLE	PARTY DESIGNATION	FIRM NAME - ATTORNEY NAME / ATTORNEY ROLE	ADDRESS
BEASLEY ALLEN LAW FIRM	OTHER	RESPONDENT	FOX ROTHSCHILD LLP - JEFFREY M POLLOCK (ATTORNEY OF RECORD)	212 CARNEGIE CENTER, SUITE 400 PRINCETON, NJ 08540 609-896-3600 JMPOLLOCK@FOXROTHSCHILD.COM; AWIENER@FOXROTHSCHILD.COM
JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	DEFENDANT	APPELLANT	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO (ATTORNEY OF RECORD)	600 CAMPUS DR, FLORHAM PARK, NJ 07932-1047 973-549-7000 SUSAN.SHARKO@FAEGREDRINKER.COM; MICHELLE.MCCORKLE@FAEGREDRINKER.COM; SEAN.GARRETT@FAEGREDRINKER.COM

DOCUMENTS

DOCUMENT / FILE NAME	FILING PARTY	FIRM NAME / ATTORNEY ATTENTION	CATEGORY / DOCUMENT TYPE	SOURCE	DATE DOCUMENT CREATED	STATUS
MOTION FOR LEAVE TO APPEAL (M-006702-23)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	MOTION - FOR LEAVE TO APPEAL	SYSTEM GENERATED	08/08/2024	APPROVED
MOTION- BRIEF	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	MOTION SUPPORTING DOCUMENTS/ ANSWERS/ OPPOSITIONS/ ATTACHMENTS - MOTION BRIEF	UPLOAD	08/08/2024	APPROVED
TRIAL COURT ORDER/JUDGMENT/DECISION (07/19/2024)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPELLATE DOCUMENTS - TRIAL COURT ORDER/JUDGMENT/DECISION	UPLOAD	08/08/2024	APPROVED
APPELLANTS APPENDIX (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	BRIEF AND APPENDIX - APPELLANTS APPENDIX	UPLOAD	08/08/2024	APPROVED
HEARING (01/17/2024) (Vol. 1)	JOHNSON &	FAEGRE DRINKER	TRANSCRIPT - HEARING	UPLOAD	08/08/2024	APPROVED

	JOHNSON AND LLT MANAGEMENT, LLC	BIDDLE & REATH LLP - SUSAN M SHARKO				
HEARING (02/14/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	08/08/2024	APPROVED
HEARING (03/25/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	08/08/2024	APPROVED
HEARING (03/25/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	08/08/2024	APPROVED
HEARING (04/10/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	08/08/2024	APPROVED
HEARING (04/10/2024) (Vol. 2)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	08/08/2024	APPROVED
HEARING (05/03/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	08/08/2024	APPROVED
PROOF OF SERVICE	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPELLATE DOCUMENTS - PROOF OF SERVICE	SYSTEM GENERATED	08/08/2024	APPROVED
PRO HAC ADMISSION ORDER AND CERTIFICATION OF STANDING	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPPELLATE DOCUMENTS - PRO HAC ADMISSION ORDER AND CERTIFICATION OF STANDING	UPLOAD	08/09/2024	APPROVED
PROOF OF SERVICE	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPPELLATE DOCUMENTS - PROOF OF SERVICE	SYSTEM GENERATED	08/09/2024	APPROVED
MLA NOTICE OF FILING	Court		APPPELLATE DOCUMENTS - COURT INTERFACE INITIATED NOTICES		08/09/2024	APPROVED
MOTION ANSWER/OPPOSITION	BEASLEY ALLEN LAW FIRM	FOX ROTHSCHILD LLP - JEFFREY M POLLOCK	MOTION SUPPORTING DOCUMENTS/ ANSWERS/ OPPOSITIONS/ ATTACHMENTS - MOTION ANSWER	UPLOAD	08/19/2024	APPROVED
MOTION APPENDIX (Vol. 1)	BEASLEY ALLEN LAW FIRM	FOX ROTHSCHILD LLP - JEFFREY M POLLOCK	MOTION SUPPORTING DOCUMENTS/ ANSWERS/ OPPOSITIONS/ ATTACHMENTS - MISC-MOTION APPENDIX	UPLOAD	08/19/2024	APPROVED
MOTION APPENDIX (Vol. 2)	BEASLEY ALLEN LAW FIRM	FOX ROTHSCHILD LLP - JEFFREY M POLLOCK	MOTION SUPPORTING DOCUMENTS/ ANSWERS/ OPPOSITIONS/ ATTACHMENTS - MISC-MOTION APPENDIX	UPLOAD	08/19/2024	APPROVED
MOTION APPENDIX (Vol. 3)	BEASLEY ALLEN LAW FIRM	FOX ROTHSCHILD LLP - JEFFREY M POLLOCK	MOTION SUPPORTING DOCUMENTS/ ANSWERS/	UPLOAD	08/19/2024	APPROVED

OPPOSITIONS/ ATTACHMENTS -
MISC-MOTION APPENDIX

PROOF OF SERVICE	BEASLEY ALLEN LAW FIRM	FOX ROTHSCHILD LLP - JEFFREY M POLLOCK	APPELLATE DOCUMENTS - PROOF OF SERVICE	SYSTEM GENERATED	08/19/2024	APPROVED
MOTION FOR (M-007064-23)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	MOTION - FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF MOTION	SYSTEM GENERATED	08/26/2024	APPROVED
MOTION CERTIFICATION/SUPPORTING DOCUMENT	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	MOTION SUPPORTING DOCUMENTS/ ANSWERS/ OPPOSITIONS/ ATTACHMENTS - MOTION CERTIFICATION/SUPPORTING DOCUMENT	UPLOAD	08/26/2024	APPROVED
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ORDER (GRANTED)	Court		APPPELLATE DOCUMENTS - ORDER	INTERFACE	09/20/2024	APPROVED
ORDER (GRANTED)	Court		APPPELLATE DOCUMENTS - ORDER	INTERFACE	09/20/2024	APPROVED
LETTER OF COMMUNICATION	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPPELLATE DOCUMENTS - LETTER OF COMMUNICATION	UPLOAD	09/23/2024	APPROVED
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LETTER OF COMMUNICATION	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPPELLATE DOCUMENTS - LETTER OF COMMUNICATION	UPLOAD	09/25/2024	APPROVED
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PROOF OF SERVICE	BEASLEY ALLEN LAW FIRM	FOX ROTHSCHILD LLP - JEFFREY M POLLOCK	APPPELLATE DOCUMENTS - PROOF OF SERVICE	SYSTEM GENERATED	09/25/2024	APPROVED
LETTER OF COMMUNICATION	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPPELLATE DOCUMENTS - LETTER OF COMMUNICATION	UPLOAD	09/26/2024	APPROVED
PROOF OF SERVICE	JOHNSON &	FAEGRE DRINKER	APPPELLATE DOCUMENTS - PROOF	SYSTEM	09/26/2024	APPROVED

	JOHNSON AND LLT MANAGEMENT, LLC	BIDDLE & REATH LLP - OF SERVICE SUSAN M SHARKO	GENERATED		
LETTER OF COMMUNICATION	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER APPELLATE DOCUMENTS - LETTER BIDDLE & REATH LLP - OF COMMUNICATION SUSAN M SHARKO	UPLOAD	09/30/2024	APPROVED
PROOF OF SERVICE	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER APPELLATE DOCUMENTS - PROOF BIDDLE & REATH LLP - OF SERVICE SUSAN M SHARKO	SYSTEM GENERATED	09/30/2024	APPROVED
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LETTER OF COMMUNICATION	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER APPELLATE DOCUMENTS - LETTER BIDDLE & REATH LLP - OF COMMUNICATION SUSAN M SHARKO	UPLOAD	10/07/2024	APPROVED
PROOF OF SERVICE	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER APPELLATE DOCUMENTS - PROOF BIDDLE & REATH LLP - OF SERVICE SUSAN M SHARKO	SYSTEM GENERATED	10/07/2024	APPROVED
APPELLANTS BRIEF	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BRIEF AND APPENDIX - BIDDLE & REATH LLP - APPELLANTS BRIEF SUSAN M SHARKO	UPLOAD	10/24/2024	DEFICIENT
APPELLANTS APPENDIX (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BRIEF AND APPENDIX - BIDDLE & REATH LLP - APPELLANTS APPENDIX SUSAN M SHARKO	UPLOAD	10/24/2024	APPROVED
CONFIDENTIAL APPENDIX (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER EXHIBIT - CONFIDENTIAL BIDDLE & REATH LLP - APPENDIX SUSAN M SHARKO	UPLOAD	10/24/2024	PENDING MOTION
HEARING (01/17/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER TRANSCRIPT - HEARING BIDDLE & REATH LLP - SUSAN M SHARKO	UPLOAD	10/24/2024	DEFICIENT
HEARING (02/14/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER TRANSCRIPT - HEARING BIDDLE & REATH LLP - SUSAN M SHARKO	UPLOAD	10/24/2024	DEFICIENT
HEARING (03/25/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER TRANSCRIPT - HEARING BIDDLE & REATH LLP - SUSAN M SHARKO	UPLOAD	10/24/2024	DEFICIENT
HEARING (03/25/2024) (Vol. 2)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER TRANSCRIPT - HEARING BIDDLE & REATH LLP - SUSAN M SHARKO	UPLOAD	10/24/2024	DEFICIENT
HEARING (04/10/2024) (Vol. 1)	JOHNSON & JOHNSON AND	FAEGRE DRINKER TRANSCRIPT - HEARING BIDDLE & REATH LLP -	UPLOAD	10/24/2024	DEFICIENT

	LLT MANAGEMENT, LLC	SUSAN M SHARKO				
HEARING (04/10/2024) (Vol. 2)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	10/24/2024	DEFICIENT
HEARING (05/03/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	10/24/2024	DEFICIENT
HEARING (02/07/2024) (Vol. 1)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	TRANSCRIPT - HEARING	UPLOAD	10/24/2024	DEFICIENT
MOTION FOR (M-000994-24)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	MOTION - FOR LEAVE TO SUBMIT DOCUMENTS IN CAMERA ISO APPEAL	SYSTEM GENERATED	10/24/2024	APPROVED
MOTION CERTIFICATION/SUPPORTING DOCUMENT	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	MOTION SUPPORTING DOCUMENTS/ ANSWERS/ OPPOSITIONS/ ATTACHMENTS - MOTION CERTIFICATION/SUPPORTING DOCUMENT	UPLOAD	10/24/2024	APPROVED
PROOF OF SERVICE	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPELLATE DOCUMENTS - PROOF OF SERVICE	SYSTEM GENERATED	10/24/2024	APPROVED
BRIEF DEFICIENCY LETTER	Court		APPELLATE DOCUMENTS - CASE MANAGEMENT DEFICIENCIES	INTERFACE	10/25/2024	APPROVED
(AMENDED) APPELLANTS BRIEF	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	BRIEF AND APPENDIX - APPELLANTS BRIEF	UPLOAD	10/25/2024	PENDING MOTION
PROOF OF SERVICE	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPELLATE DOCUMENTS - PROOF OF SERVICE	SYSTEM GENERATED	10/25/2024	APPROVED
MOTION TO STAY APPELLATE PROCEEDINGS (M-001017-24)	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	MOTION - TO STAY APPELLATE PROCEEDINGS	SYSTEM GENERATED	10/25/2024	SUBMITTED
MOTION CERTIFICATION/SUPPORTING DOCUMENT	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	MOTION SUPPORTING DOCUMENTS/ ANSWERS/ OPPOSITIONS/ ATTACHMENTS - MOTION CERTIFICATION/SUPPORTING DOCUMENT	UPLOAD	10/25/2024	SUBMITTED
PROOF OF SERVICE	JOHNSON & JOHNSON AND LLT MANAGEMENT, LLC	FAEGRE DRINKER BIDDLE & REATH LLP - SUSAN M SHARKO	APPELLATE DOCUMENTS - PROOF OF SERVICE	SYSTEM GENERATED	10/25/2024	SUBMITTED

FEES AND PAYMENTS

RELATED APPEALS

CASE TYPE	APPELLATE #	TRIAL COURT/ AGENCY DOCKET #	CASE TITLE	DISPOSITION DATE	STATUS
No record found.					



**New Jersey Judiciary
Superior Court - Appellate Division
NOTICE OF MOTION**

SUSAN M SHARKO, Esq.
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600 CAMPUS DR
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SEAN.GARRETT@FAEGREDRINKER.COM

DOCKET NO: **A-000215-24 (AM-000635-23)**

**IN RE TALC BASED POWDER PRODUCTS
LITIGATION**

Notice of Motion:

MOTION TO STAY APPELLATE PROCEEDINGS

PLEASE TAKE NOTICE that the undersigned hereby moves before the Superior Court of New Jersey, Appellate Division, for an Order granting the above relief:

In support of this motion, I shall rely on the accompanying brief or certification.

I hereby certify that I am submitting the original of this notice of motion and accompanying brief or certification to the Clerk of the Appellate Division, and submitting same upon my adversary by email notification. If delivery by non-electronic means, two copies of same will be served upon the following:

TO:

JEFFREY M POLLOCK, Esq.
FOX ROTHSCHILD LLP
212 CARNEGIE CENTER
SUITE 400
PRINCETON, NJ 08540

Trial court #: ATL-L-2648-15

Trial court disposition date: 07/19/2024

Category: LAW-CIVIL PART

Type: CIVIL

County: ATLANTIC

Trial Court Judge name: JOHN C. PORTO, JSC

For: APPELLANT,
JOHNSON & JOHNSON AND LLT MANAGEMENT,
LLC
s/ SUSAN M SHARKO, Esq.
FAEGRE DRINKER BIDDLE & REATH LLP
BAR ID#: 009971979 Date: 10/25/2024
EMAIL:
SUSAN.SHARKO@FAEGREDRINKER.COM;
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Before Appellate Division,
Superior Court of New Jersey
DOCKET NO. A-000215-24 (AM-000635-23)

CIVIL

IN RE TALC BASED POWDER PRODUCTS LITIGATION
PROOF OF SERVICE

I hereby certify that an original of the following documents, **MOTION TO STAY APPELLATE PROCEEDINGS, PROOF OF SERVICE, MOTION CERTIFICATION/SUPPORTING DOCUMENT** were submitted and transmitted to the parties listed below in the following format:

ELECTRONICALLY TO:

ATTORNEY NAME: JEFFREY M POLLOCK, Esq.
JMPOLLOCK@FOXROTHSCHILD.COM; AWIENER@FOXROTHSCHILD.COM

BY MAIL:

I certify that the forgoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Attorney for APPELLANT
JOHNSON & JOHNSON AND LLT
MANAGEMENT, LLC

Dated: 10/25/2024

By: **S/ SUSAN M SHARKO, Esq.**

IN RE TALC-BASED POWDER
PRODUCTS LITIGATION

SUPERIOR COURT OF NEW
JERSEY, APPELLATE DIVISION
DOCKET NO. A-000215-24

Civil Action

ON APPEAL FROM AN
INTERLOCUTORY DECISION
OF THE SUPERIOR COURT
OF NEW JERSEY LAW DIVISION,
ATLANTIC COUNTY

Master Docket No. ATL-L-2648-15

MCL Case No. 300

SAT BELOW:
Hon. John C. Porto, J.S.C.

**DEFENDANTS-APPELLANTS JOHNSON & JOHNSON AND LLT
MANAGEMENT LLC'S MOTION TO STAY APPEAL**

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**FAEGRE DRINKER BIDDLE &
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Tel.: 973-549-7000
susan.sharko@faegredrinker.com

*Attorneys for Defendants-Appellants
Johnson & Johnson and LLT
Management LLC*

Pursuant to New Jersey Rule of Court 2:8-1(b), Appellants Johnson & Johnson and LLT Management, LLC (collectively, “J&J”) move to stay the appeal docketed at A-000215-24 in accordance with a stay order issued by Hon. Christopher Lopez, U.S. Bankruptcy Judge, on October 24, 2024 (**Exhibit A**). The Order was issued in connection with the voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of Texas filed by Red River Talc LLC, a Texas limited liability company which is now responsible for ovarian and gynecological claims asserted against LLT Management LLC. The Order specifically applies the stay in bankruptcy (which expires on December 2, 2024), to the “motion to disqualify” the Beasley Allen firm “in the federal MDL” and “all activity in the Pending Actions, whether offensive or defensive.” See **Exhibit A**, at page 5.

Accordingly, J&J respectfully requests the appeal docketed at A-000215-24 be stayed.

CONCLUSION

For the foregoing reasons, J&J respectfully requests the appeal docketed at A-000215-24 be stayed until December 2, 2024, or such other time that the October 24, 2024 bankruptcy stay order expires or is modified so as to permit this appeal to proceed.

Dated: October 25, 2024

Respectfully submitted,



Stephen D. Brody (*Pro Hac Vice*)
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/s/Susan M. Sharko
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*Attorneys for Defendants-Appellants
Johnson & Johnson and LLT
Management LLC*

EXHIBIT A

ENTERED

October 24, 2024

Nathan Ochsner, Clerk

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	:	Chapter 11
RED RIVER TALC LLC, ¹	:	Case No. 24-90505 (CML)
Debtor.	:	
	:	
RED RIVER TALC LLC,	:	
Plaintiff,	:	
v.	:	Adv. Pro. No. 24-03194 (CML)
THOSE PARTIES LISTED ON	:	
APPENDIX A TO COMPLAINT	:	
and JOHN AND JANE DOES 1-1000,	:	
Defendants.	:	
	:	

**ORDER DETERMINING THAT THE AUTOMATIC STAY
APPLIES AND EXTENDS TO CERTAIN NON-DEBTORS**

(Relates to Docket Nos. 1, 2)

This matter coming before the Court on the *Complaint for Declaratory and Injunctive Relief (I) Declaring That the Automatic Stay Applies to Certain Actions Against Non Debtors, (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing* (the “Complaint”) and the *Debtor’s Emergency Motion for (I) An Order (A) Declaring That the Automatic Stay Applies to Certain Actions Against Non-Debtors, or (B) Preliminarily Enjoining Such Actions and (II) A Temporary Restraining Order Pending a*

¹ The last four digits of the Debtor’s taxpayer identification number are 8508. The Debtor’s address is 501 George Street, New Brunswick, New Jersey 08933.

Final Hearing (the “Motion”), both filed by the above-captioned Plaintiff Red River Talc LLC (the “Debtor”); this Court having reviewed (a) the Complaint, (b) the Motion, (c) the *Declaration of John K. Kim in Support of Debtor’s Complaint for Declaratory and Injunctive Relief and Related Motion* (the “Kim Declaration”), (d) the *Declaration of Adam Lisman in Support of Debtor’s Complaint for Declaratory and Injunctive Relief and Related Motion* (the “Lisman Declaration”), (e) the *Declaration of John K. Kim in Support of Chapter 11 Case and Certain First Day Pleadings* [Dkt. 17 in No. 24-90505] (the “First Day Declaration”) and (f) the *Declaration of Adam C. Silverstein in Support of the Coalition Objection to the Motion* [Dkt. 11] filed in the Chapter 11 Case, together with any responses or answers to the Motion or the Complaint; and having heard the arguments of counsel and considered the testimony of John Kim and evidence adduced at a hearing on October 21, 2024 (the “Hearing”); and this Court having determined that the legal and factual bases set forth in the Complaint, the Motion, the Kim Declaration, the Lisman Declaration, the First Day Declaration and at the Hearing establish just cause for relief granted herein;

THE COURT HEREBY FINDS THAT:

- A. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334.
- B. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and this Court may enter a final order consistent with Article III of the United States Constitution.
- C. Venue for this matter is proper in this District pursuant to 28 U.S.C. § 1409.
- D. Notice of the Motion and the Hearing was sufficient and appropriate under the circumstances and complied with the requirements of chapter 11 of title 11 of the United States

Code (the “Bankruptcy Code”), the Federal Rules of Bankruptcy Procedure and the Bankruptcy Local Rules for the Southern District of Texas. No other or further notice is necessary.

E. For purposes of this order (this “Order”), “Debtor Talc Claims” means, collectively, any talc-related claim against the Debtor, including all claims relating in any way to talc or talc-containing products or materials that formerly were asserted against (or that could have been asserted against) LLT Management LLC (f/k/a LTL Management LLC) on any theory of liability (whether direct, derivative, joint and several, successor liability or vicarious liability, fraudulent or voidable transfer or conveyance, alter ego or otherwise). Notwithstanding the foregoing, Debtor Talc Claims do not include: (a) any claim or demand that (i) alleges that the relevant injured or deceased individual was exposed to talc or the product or material containing talc, as applicable, in Canada or resided in Canada at the time such claim is filed or (ii) was brought, threatened or pursued in any court in Canada; (b) any claim or demand asserted or assertable by or on behalf of any governmental unit under any federal, state, international or foreign consumer or employee protection rule, statute or regulation; and (c) any claim or demand that alleges that the relevant injured or deceased individual developed Mesothelioma² or Lung Cancer³ in connection with such individual’s use of talc or a product or material containing talc.

F. The Plaintiff in this adversary proceeding is Debtor Red River Talc LLC. The Defendants in this adversary proceeding are those parties listed on Appendix A hereto, as well as John and Jane Does 1-1000. The Defendants listed on Appendix A are all named plaintiffs in talc-related lawsuits against the Debtor (or for which the Debtor is responsible or alleged to be

² “Mesothelioma” means the type of cancer that develops from the mesothelium, *i.e.*, the thin layer of tissue that covers certain internal organs including the pleural, peritoneal, and pericardial cavities.

³ “Lung Cancer” means a primary lung cancer (*i.e.*, a lung cancer that originates in the lungs and is unrelated to any previous cancer as opposed to a lung cancer that has spread to the lungs from another part of the body).

responsible) as of or after the Petition Date who sought to hold, or may seek to hold, one or more of the Protected Parties liable for Debtor Talc Claims. The Protected Parties are listed in Appendix B, and their number is substantially less than the number initially proposed by the Debtor. The Debtor agreed to remove its insurers and several hundred of its affiliates and, at the conclusion of the hearing, the Court directed the Debtor to remove Kenvue from the list. Defendants John and Jane Does 1-1000 are prospective plaintiffs who may at any time while the Chapter 11 Case is pending seek to hold one or more of the Protected Parties liable for Debtor Talc Claims.

For the reasons stated on the record at the Hearing, IT IS HEREBY ORDERED THAT:

1. Pursuant to sections 362(a)(1), (3), (6), and 105(a) of the Bankruptcy Code, the Defendants are stayed from commencing or continuing to prosecute any Debtor Talc Claim against any of the Protected Parties on any theory of liability, whether direct, derivative, joint and several, successor liability, vicarious liability, fraudulent or voidable transfer or conveyance, alter ego or otherwise, through and including December 2, 2024. The activities temporarily prohibited and enjoined by this Order include, without limitation: (a) the pursuit of discovery from the Protected Parties or their officers, directors, employees or agents; (b) the enforcement of any discovery order against the Protected Parties; (c) further motions practice related to the foregoing; and (d) any collection activity on account of a Debtor Talc Claim against any Protected Party or its officers, directors, employees or agents or its respective assets.

2. For the avoidance of doubt, (a) the relief ordered herein shall apply to all claims asserted in the Pending Actions identified on Appendix A hereto, regardless of whether any such Pending Action has been removed, remanded, transferred, dismissed and refiled under a different case number or is on appeal; and (b) the relief ordered herein shall not apply to Kenvue, Inc. or its subsidiaries. For further avoidance of doubt, and notwithstanding anything to the

contrary in this Order, the stay imposed by this Order is intended to apply to all activity in the Pending Actions, whether offensive or defensive, including the pending motion to disqualify, and to remove from the Executive Committee, the Beasley Allen firm in the federal MDL.

3. This Order is entered without prejudice to the Debtor's right to request that this Court extend this Order to include other entities, persons and actions not previously identified in Appendix A hereto or on Appendix B. For the avoidance of doubt, the inclusion of a talc-related claim on Appendix A is not an admission that such Defendant holds a currently pending claim against either the Debtor or the Protected Parties.

4. Any party subject to this Order may seek relief from any of the provisions of this Order for cause shown. This Order is without prejudice to the Debtor's or others' rights to seek relief pursuant to section 362 of the Bankruptcy Code.

5. Notwithstanding anything to the contrary in this Order, any party asserting Debtor Talc Claims, without leave of the Court, may take reasonable steps to preserve the testimony of any person subject to this Order who is not expected to survive the duration of this Order or who otherwise is expected to be unable to provide testimony if it is not preserved during the duration of this Order. Notice shall be provided to the Debtor by notifying counsel for the Debtor of the perpetuation of such testimony, and the parties shall agree on a mutually convenient date as soon as possible after such notice. The Debtor shall have the right to object to the notice on any grounds it would have had if it were a party to the underlying proceeding and not subject to the terms of this Order, and the Debtor may raise any such objection with this Court. The use of such testimony in any appropriate jurisdiction shall be subject to the applicable procedural and evidentiary rules of such jurisdiction. All parties reserve and do not waive any and all objections with respect to such testimony. Defendants or other individuals asserting Debtor Talc Claims may

not seek to perpetuate the testimony of representatives, including directors, officers, employees and agents, of the Debtor or the Protected Parties without the consent of the Debtor or an order of the Court. Notwithstanding the foregoing, parties in lawsuits pending in the MDL who wish to preserve the testimony of any person subject to this Order who is not expected to survive the duration of this Order or who otherwise is expected to be unable to provide testimony if it is not preserved during the duration of this Order shall comply with the process outlined in the In Extremis Deposition Protocol entered on January 23, 2017 in the MDL.

6. This Order shall be immediately effective and enforceable upon its entry.

7. This Order shall toll any applicable non-bankruptcy law, any order entered in a non-bankruptcy proceeding or any agreement that fixes a period under which an enjoined Defendant is required to commence or continue a civil action in a court other than this Court on any Debtor Talc Claim asserted against the Debtor or any of the Protected Parties until the later of: (a) the end of such period, including any suspension of such period occurring on or after the commencement of the case; or (b) 30 days after the termination or expiration of this Order.

8. The deadline to file any answer or other response to the Complaint is tolled indefinitely subject to an order of this Court.

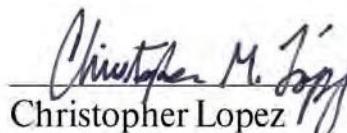
9. The Debtor shall cause a copy of this Order to be served via e-mail, facsimile, hand delivery or overnight carrier on counsel for the known Defendants within three business days of its entry on the Court's docket.

10. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

11. This Court retains exclusive jurisdiction over this Order and any and all matters arising from or relating to the implementation, interpretation or enforcement of this Order.

12. The Court will conduct a further hearing on the Complaint and the Motion on December 2, 2024 at 1:00 p.m. (CT) at which it will consider whether the relief granted in this Order should be extended, terminated or otherwise modified.

Signed: October 24, 2024


Christopher Lopez
United States Bankruptcy Judge